

REMARKS

In response to the Office Action mailed on February 12, 2009 (for which the period for response has been extended by one month), we hereby request entry of the foregoing amendments and consideration of the following remarks. The foregoing amendments add new claims 78-87. After entry of the amendments, claims 56-87 are pending in the application. No new matter is added, and support for the amendments and new claims can be found in the originally-filed application.

Telephonic Interview

We greatly appreciate the courtesies extended by Examiners Saxena and Shah in the telephonic interview involving inventor Dr. Roger Skidmore, Ph.D., and Brett Carlson (Reg. No. 39, 928) conducted on June 9, 2009. Dr. Skidmore is the principal architect of the SitePlanner product, and is also the primary author of the Siteplanner 3.16 manual that is cited in the Office Action. During the interview, Dr. Skidmore described the prior Siteplanner version 3.16 product and its associated manual, and indicated that the SitePlanner product did not include any sort of “frequency dependent characteristics” as recited in the present application.

Applicants would like to sincerely thank the Examiners for taking the time to speak with us.

Section 101 and 112 Rejections

We appreciate that the Examiner has withdrawn all of the Section 101 and 112 Rejections that were set forth in the previous Office Action.

Prior Art Rejections

The Office Action continues to reject claims 56-77 under 35 U.S.C. § 102, citing the SitePlanner Version 3.16 Manual that was primarily authored by Dr. Roger A. Skidmore, and that was submitted in Information Disclosure Statement that accompanied our prior response. We respectfully traverse the rejections based upon the SitePlanner reference because the document does not describe each and every feature of our various claims.

As Dr. Skidmore stated during the telephonic interview, numerous differences exist between the present claims and the cited SitePlanner reference. Although several previously-known systems and techniques may have used computerized models to

simulate various network systems, for example, the prior art did not describe or suggest any ability to consider frequency dependent characteristics of components within the model. Hence, the prior art lacked the ability to conveniently consider the effects of different operating frequencies without changing the components that are used within the model. This shortcoming represents a significant difference between the prior art of record and the features set forth in our various claims.

In particular, both the SitePlanner Version 3.16 Manual and the Version 3.0 manual previously submitted relate to earlier versions of a network analysis program that did not provide the frequency-related features of our various claims, such as automatically evaluating the particular components using one of the plurality of values for the operating characteristic of the particular component obtained from the parts list library that corresponds to the modeled operating frequency, as now recited in claim 56. To the contrary, model components in the SitePlanner 3.0 and 3.16 did not have any attributes whatsoever that varied based upon the operating frequency. The cited reference therefore fails to describe or suggest at least these aspects of the claims.

In applying the SitePlanner Manual against the “frequency-dependent characteristics of particular ones of the plurality of components” language of prior claim 56, for example, the Office Action cites FIG. 5.29 of the SitePlanner manual, stating without elaboration that “antennas are frequency dependent”. Even to the extent that antennas in the real world may have frequency dependent characteristics, however, this statement does not meet the full extent of our claim language. Claim 56, for example, now recites that the frequency-dependent characteristics compris[e] a plurality of values for an operating characteristic of the particular component, each of the plurality of values describing the operating characteristic of the particular component at a different operating frequency. This feature is well-beyond the teachings of SitePlanner 3.16 and its associated manual.

As a result, the prior art of record (including SitePlanner Manuals versions 3.0 and 3.16) fails to describe or suggest the various features of our claim for which they are cited. The other independent claims and each of the various dependent claims similarly recite various features that are not found in the prior art; a discussion of these various features is cumulative to the analysis presented above, however, and need not be presented at this

time to find the present application allowable. We nevertheless reserve the right to point out any of these additional features at a later date, or in an appeal to the Board of Patent Appeals and Interferences.

Because the pending claims each distinguish over the cited SitePlanner 3.16 manual, we respectfully request reconsideration of the rejections set forth in the Office Action. Should the Examiner have any questions or wish to further discuss this application, the undersigned would welcome a telephone call at 480.385.5069.

No official fee is believed to be due in connection with this Response, other than the fees for the one month extension of time and additional claims that are addressed elsewhere in this submittal. If, however, any additional time extension or fee is required to consider this response or to otherwise prevent abandonment of this application, please consider this as a request for an extension of time and as authorization to charge Deposit Account No. 50-2091 for any fee that may be due.

Respectfully submitted,
INGRASSIA FISHER & LORENZ, P.C.

Dated: June 12, 2009

/BRETT A. CARLSON /
Brett A. Carlson
USPTO Reg. No. 39,928
(480) 385-5060

Customer No. 66651